

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
ARTHUR DEIANNI, as Trustee and Chairman
of the Board of Trustees of the CWA/ITU
Negotiated Pension Plan,

Plaintiff,

-against-

ORDER

11 CV 5267 (DRH) (ARL)

NEW MEDIA PRINTING and
JOHN MANGANO

Defendants.

-----X

HURLEY, Senior District Judge:

On March 13, 2012, this Court granted plaintiff's motion for an entry of default judgment against defendants New Media Printing and John Mangano and referred the case to Magistrate Judge Arlene R. Lindsay, pursuant to 28 U.S.C. § 636(b)(3), for a report and recommendation as to damages and attorneys' fees. On August 17, 2012, Judge Lindsay issued a Report and Recommendation recommending that damages be awarded to plaintiff as follows: (1) \$65,904.00 for withdrawal liability, (2) interest due on the unpaid withdrawal liability from April 15, 2011 through February 20, 2012 in the amount of \$2,957.00, plus \$9.48 per day from February 21, 2012 until the date judgment is entered, (3) liquidated damages in the amount of \$13,180.80, (4) \$10,578.75 in attorneys' fees, and (5) \$2,894.12 in costs.

On August 21, 2012, defendants were served with a copy of the Report and Recommendation. More than fourteen days have elapsed since service of the Report and Recommendation. No party has filed any objections.

Pursuant to 28 U.S.C. § 636(b) and Federal Rule of Civil Procedure 72, this Court has reviewed the Report and Recommendation for clear error, and finding none, now concurs in both

its reasoning and its result. Accordingly, the Court adopts the August 17, 2012 Report and Recommendation of Judge Lindsay as if set forth herein.

The Court hereby directs that plaintiff recover from defendants New Media Printing and John Mangano the following amounts, as itemized below:

- (1) \$65,904.00 in withdrawal liability;
- (2) \$2,957.00 in interest for the period between April 15, 2011 through February 20, 2012, plus \$9.48 per day for the period between February 21, 2012 through the date judgment is entered,
- (3) liquidated damages in the amount of \$13,180.80,
- (4) \$10,578.75 in attorneys' fees, and
- (5) \$2,894.12 in costs.

Upon entry of judgment, the Clerk of the Court is directed to close this case.

SO ORDERED.

Dated: Central Islip, New York
September 5, 2012

/s/
 Denis R. Hurley
 United States District Judge